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Planning Commission Study Session

TO: PLANNING COMMISSION

FROM: SYDNEY BETHEL, PLANNER II

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THROUGH: CATHERINE LORBEER, AICP, PRINCIPAL PLANNER

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MEETING DATE: NOVEMBER 6, 2019

SUBJECT: A. GP19-11, THE MURPHY: REQUEST FOR MINOR GENERAL

PLAN AMENDMENT TO CHANGE THE LAND USE CLASSIFICATION OF APPROX. 1.5 ACRES GENERALLY LOCATED WEST OF THE NORTHWEST CORNER OF COOPER AND GUADALUPE ROADS FROM LIGHT INDUSTRIAL (LI) TO COMMUNITY COMMERCIAL (CC) LAND USE

CLASSIFICATION.

B. Z19-23, THE MURPHY: REQUEST TO AMEND ORDINANCE NOS. 392 AND 734 AND REZONE APPROX. 1.5 ACRES GENERALLY LOCATED WEST OF THE NORTHWEST CORNER OF COOPER AND GUADALUPE ROADS FROM LIGHT INDUSTRIAL (LI) ZONING DISTRICT WITH A PLANNED AREA DEVELOPMENT (PAD) OVERLAY TO COMMUNITY COMMERCIAL (CC) ZONING DISTRICT WITH A PLANNED

AREA DEVELOPMENT (PAD) OVERLAY.

STRATEGIC INITIATIVE: Exceptional Built Environment

To allow for the development of a commercial building to provide restaurant and retail services to the community.

RECOMMENDED MOTION

A. No motion requested, and

B. No motion requested.

<u>APPLICANT</u> <u>OWNER</u>

Company: Withey Morris PLC Company: -

Name: Adam Baugh Name: Anthony L. & Marilyn E.

Ippolito

Address: 2525 E. Arizona Biltmore Cir., A-212 Address: 2538 E. Desert Ln.

Phoenix, AZ 85016 Gilbert, AZ 85234

Phone: (602) 230-0600 Phone: (602) 568-0588 Email: adam@witheymorris.com Email: ippolito@cox.net

BACKGROUND/DISCUSSION

History

Date	Description		
July 31, 1984	Town Council approved the original 179 acre Fiesta Ranch PAD		
	(Ord. No. 392) rezoning the subject side from Agriculture (AG)		
	zoning district to Light Industrial (I-2) zoning district with a		
	Planned Area Development (PAD).		
August 27, 1991	Town Council approved Z19-8 (Ord. No. 734) amending the overall		
	Fiesta Ranch PAD, with the subject site remaining Light Industrial		
	(I-2) with a Planned Area Development (PAD).		
February 1, 2005	Town Council adopted a revised Zoning Map and Land		
	Development Code per Ordinance No. 1625, reclassifying all		
	properties within the Town of Gilbert. The classification for the		
	subject site is Light Industrial (LI) with a Planned Area		
	Development (PAD) overlay.		
October 12, 2006	Design Review Board approved Guadalupe Industrial Center		
	(DR06-68), a proposed office/warehouse facility at the subject site.		
	The development was never constructed, and the approval is now		
	expired.		

Overview

The applicant is requesting to change the existing land use classification from Light Industrial (LI) to Community Commercial (CC) and change the existing zoning district from Light Industrial (LI) with a PAD overlay to Community Commercial (CC) with a PAD overlay. The purpose behind the request is to allow for a commercial development called "The Murphy on the Tracks" intended for retail and restaurant uses. Per the applicant, the ultimate vision is to create a commercial development that focuses on experiences and destination similar to developments found in the Heritage District and Agritopia rather than quick, typical commercial strip center visits. The proposed development is designed in a manner that embraces the railroad, orienting the development towards the railroad rather than away. The subject site is approx. 1.5 gross acres (0.9)

net acres), located west of the northwest corner of Cooper and Guadalupe Roads, and is presently vacant.

Surrounding Land Use & Zoning Designations:

	Existing Land Use	Existing Zoning	Existing Use
	Classification		
North	Public Facilities/Institutions	Public Facilities/Institutions	Union Pacific
	(PF/I)	(PF/I)	Railroad
South	Residential > 8-14 DU/Acre	Multi-Family/Medium	Guadalupe Road
		(MF/M) with PAD overlay	then Park Place
			Village
			Condominiums
East	Public Facilities/Institutions	Public Facilities/Institutions	Union Pacific
	(PF/I)	(PF/I)	Railroad
West	Light Industrial (LI)	Light Industrial (LI) with	Azmark Aero
		PAD overlay	System (Machining
			and Engineering
			Services)
Site	Light Industrial (LI)	Light Industrial (LI) with	Vacant
		PAD overlay	

General Plan

The existing land use classification is Light Industrial (LI). In order to develop the property as proposed, the applicant is requesting a minor General Plan Amendment from Light Industrial (LI) to Community Commercial (CC) to develop a commercial project intended for retail and restaurant uses.

The applicant believes they conform to the General Plan for the following reasons:

2.4 Land Use

Goal 5.0: Promote commercial, retail, and employment land uses that are compatible with adjacent land uses and meet economic goals.

• Applicant Notes: The site fronts a major arterial street where commercial uses are appropriate and expected. Its proximity next to an arterial intersection makes this an ideal location for commercial uses.

9.3 Economic Development

Policy 4.6: Attract, retain, and grow unique retail businesses that serve a regional customer base as a means to increase Gilbert's sales tax revenue.

• Applicant Notes: The project will provide a unique business opportunity that will drive customers who want an experiential retail opportunity. Just as the Heritage District and Argitopia are destination places, the Murphy on the Tracks is designed with the same experience in mind. This also occurs within the northwest quadrant of the Town which encourages redevelopment opportunities like this. This will

increase Gilbert's sales tax revenues compared to the vacant industrial zoned land that has no sales tax benefit.

6.3 Community Design

Goal 1.0: Promote quality design for new development.

- Applicant Notes: This new development will provide highly articulated, efficient site design, sustainable landscaping, creative signage and energy efficient lighting. Goal 6.0: Encourage developers to design attractive and functional retail and service facilities that serve the needs of residents, visitors and businesses.
 - Applicant Notes: The developer will use integrated architectural and landscape design themes for the commercial building. They will provide a safe and efficient access to commercial uses by pedestrians, bicyclists and vehicles and will design access for disabled persons to minimize crossing of vehicular drives. The site is designed so service facilities are screened from view in a well-integrated manner including a combination of architectural walls softened with vegetation that results in a visually pleasing design. Building design will encourage enhancement of building mass by balancing height rooflines, facades and rhythm of design elements.

Rezoning

The applicant is requesting a rezoning for the subject site from Light Industrial (LI) with a PAD overlay to Community Commercial (CC) with a new PAD overlay to accommodate the development of a commercial center intended for retail and restaurant uses. Specifically, restaurants are permitted in the LI zoning district, but they cannot front onto an arterial street and they are not permitted to have a drive through. General retail is permitted in the LI zoning district only as a use incidental to the principal use of the property and the retail component cannot exceed 20 percent of the principal use Gross Floor Area (GFA). Due to the restrictions on the proposed uses the applicant would like to implement, they have requested to rezone to the CC zoning district which permits both proposed uses with no additional limitations.

Project Data Table (Proposed Deviations in **Bold**)

Site Development Regulations	Required per LDC Light Industrial (LI)	Required per LDC Community Commercial (CC)	Proposed Community Commercial (CC) PAD
Minimum Building Setbacks			
(ft.)			
Front	30'	20'	10'
Side (nonresidential)	-	15'	15'
Side (employment)	0'	-	-
Rear (nonresidential)	-	15'	13'
Rear	15'	-	-
(Commercial/Office/Public			
Facility/Institutional)			
Minimum Required Perimeter			
Landscape Area (ft.)			

Front	25'	20'	7'
Side (nonresidential)	-	15'	3'*
Side (employment)	5'	-	-
Rear (nonresidential)	-	15'	0'
Rear	15'	-	-
(Commercial/Office/Public			
Facility/Institutional)			

^{*}setbacks may be reduced internal to a site in conformance with LDC Section 2.304.E.

Planned Area Development

The proposed building area for the development is approx. 6,600 sf with two (2) retail suites and one (1) restaurant suite. The buildings as proposed are designed in a rectangular shape with an outdoor courtyard in the center facing the railroad tracks. The parking is located on the west side of the site behind the development. As presently proposed, the site is not meeting the required number of parking spaces, but the details of the parking will be addressed during the Design Review process. Currently, the applicant has indicated that they will possibly pursue a shared parking agreement through an Administrative Use Permit with the existing development to the west to acquire the additional parking spaces required.

Requested Deviations

There is a total of five (5) deviations being requested, with four (4) of the requested deviations being for a reduction of landscape and building setbacks. According to the applicant, the deviations relating to the setbacks are being requested due to the unique triangular shape and limited size of the subject site and to develop in a similar manner to the adjacent existing development to the west. By allowing a reduction in landscape and building setbacks, it will allow the development to be pulled closer to the street and the railroad. According to the applicant, the rear landscape setback on the northern portion of the site is proposed to be reduced to 0' and the building setback to 13' to accommodate the parking and refuse areas, both of which are not permitted in the landscape setback. The front building setback along Guadalupe Road is proposed to be reduced to 10' with the landscape setback being reduced to 7' to allow the street-facing parking to be designed in a similar manner to the parking on the existing development to the west.

There is an additional request to eliminate the requirement per LDC 4.109.B.1 to provide a solid 8' separation fence when a commercial district or use is adjacent to a Light Industrial or General Industrial district. The property to the west is zoned LI, which will require the subject site to provide a separation fence when rezoned to CC. The subject site will have a shared drive with the industrial site to the west. The two (2) developments are planned to positively interact with each other and the fence will create an unnecessary barrier between the two (2) developments. In order to proceed forward with the separation fence modification request, a letter of approval is required from the property owner to the west.

PUBLIC NOTIFICATION AND INPUT

A neighborhood meeting was held on June 11, 2019 at McQueen Park Activity Center. No residents attended the meeting.

PROPOSITION 207

An agreement to "Waive Claims for Diminution in Value" pursuant to A.R.S. § 12-1134 was signed by the landowners of the subject site, in conformance with Section 5.201 of the Town of Gilbert Land Development Code. This waiver is located in the case file.

STAFF RECOMMENDATION

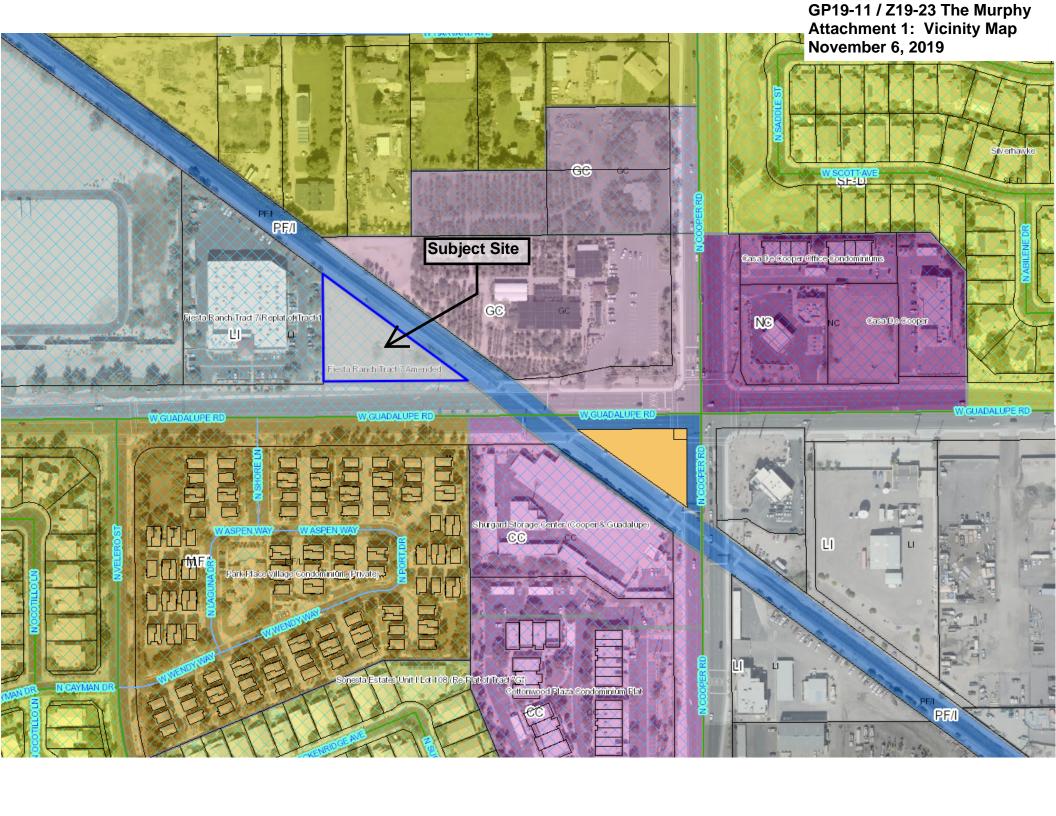
- A. Staff requests Planning Commission input; and
- B. Staff requests Planning Commission input.

Respectfully submitted,

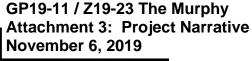
Sydney Bethel Planner II

Attachments and Enclosures:

- 1) Vicinity Map
- 2) Aerial Photo
- 3) Project Narrative
- 4) Land Use Exhibit
- 5) Zoning Exhibit
- 6) Development Plan



GP19-11 / Z19-23 The Murphy Attachment 2: Aerial Photo November 6, 2019 Subject Site Fiesta Ranch Tract 7 Replat of Tract 1 Fiesta Ranch Tract 7 Amended





PHONE: 602-230-0600 FAX: 602-212-1787

2525 E. Arizona Biltmore Circle, Suite A-212, Phoenix, AZ 85016

Rezone and GPA Applications Approx. .9 acres located at 904 W. Guadalupe Rd.

Project Narrative

A. Request

This application includes a Minor General Plan amendment to change the land use classification for .9 acres from Light Industrial (LI) to Community Commercial (CC) and to rezone the Property from Light Industrial (LI) to Planned Area Development Community Commercial (PAD CC) to allow for a new commercial development called "The Murphy on the Tracks".

B. Project Location

The subject property is vacant land located west of the northwest corner of Cooper Road and Guadalupe Road in Gilbert. (the "Property"). See Aerial Map attached at **Tab 1**. To the north is Whitfill Nursery (GC) and a rail line. To the east is a retail shopping center (NC). To the south are other retail uses (CC) and a residential community zoned MF/L. To the west is an office building zoned LI.

C. Site History

The current General Plan designation and zoning for the Property is Light Industrial (LI). Two industrial buildings were previously proposed back in 2006 but never developed. These parcels have remained vacant since and have not developed under the current zoning. Given its frontage on a major arterial street (Guadalupe Road), a small retail use is appropriate at this location. The proposed applications will allow for retail and restaurant uses to support the other surrounding uses in the immediate area. The proposed use is complementary to the other commercial and employment uses in the area.

D. Development Proposal

The applicant proposes to develop a new commercial center called "The Murphy on the Tracks". Murphy on the Tracks is named after Frank Murphy who built the railroad through Gilbert.

The vision is to create an environment that focuses on experiences and destination rather than quick visits and lifeless shopping centers. Outside of Agritopia and the Heritage District, retail in Gilbert is rather plain and predictable. The Murphy on the Tracks will be unlike any other shopping center through unique design, an experiential amenity courtyard, and railroad frontage location. See site renderings at **Tab 2**.

Whereas most retail uses would turn their back to the railroad, the Murphy embraces it. The buildings have been pushed closer to the street to create an active pedestrian environment and encourage pedestrian and bicycle linkages. A detached multi-use trail is planned within the landscape setback that leads to a secondary entrance. There will be no parking between the building and the street which is a model encouraged by the Town but rarely implemented. Parking will be west of the building. The owner of

the property next door has also agreed to allow the use of its surplus parking lot to accommodate parking for the Murphy, subject to a future Administrative Use Permit (AUP).

By bringing the building closer to the street, more area is allowed within the outdoor courtyard that serves for outdoor dining and recreation. The outdoor dining fronts the rail line much like a rail platform at a train station. The courtyard will be fenced (not walled) and the view will face the rail line and the nursery beyond it. Included within the courtyard are outdoor chimenea, seating, and games area.

The courtyard contains a bosque of midsize deciduous trees whose leaves would change seasonally. These trees become the heart and soul of the courtyard and sit within a decomposed granite sitting area that is bounded by the brick paver walking surfaces and shaded breezeway. A triangle of three of these trees are presented at the vehicular entry to the project as well and serve to foreshadow what is contained within the courtyard.

Below this triangle of trees at the entry, we envision a dramatic clustering of a sculptural mid-size plant like Tropic Tillo. That cluster would thin/feather out at the edges of the tree-triangle. The Tropic Tillo are then reintroduced as a plant that punctuates all walking paths throughout the project. Much of the remaining ground cover and small trees are of a provincial / agricultural flavor: lavender, mint, lemongrass, rosemary and other herbs punctuated by small fruit trees.

Uses planned include restaurant and retail that will blend together through the common courtyard and shaded overhang elements. The building architecture will include glass, wood and steel structural elements and a building design that borrows from the architectural language and stature of train depots and agricultural farm buildings. Red brick adds warmth and texture throughout the project as paver material for the primary outdoor pedestrian paths. Total building square feet will be approximately 7,680 sf as shown on the site plan.

Due to the small size of the Property (.9 acres), odd triangle shape, and rail line location, some flexibility to the development standards is warranted. Accordingly, this application may consider PAD zoning to request the following setback reductions:

Development Standards	Conventional	Proposed
	CC	CC PAD
Min. Building Setback		
Front (street)	20'	10'
Rear (Non-residential)	15'	13'
Side (Non-residential)	15'	15'
Min. Landscape Setback		
Front (street)	20'	7'
Rear (Non-residential)	15'	0'
Side (Non-residential)	15'	3' (No deviation required because it is
		part of an approved overall site plan
		with the property to the west.)

This PAD also requests a waiver of the requirement to provide an 8-foot wall on the property line separating the LI and the CC zoning district. PAD deviations are required because of the triangle shape of the property and the relatively small development area being only .9 acres. The PAD deviations apply mostly to the setbacks and are intended to maintain consistency with the development next door. For

example, the landscape setback along the rail line is reduced to 0-feet for the areas next to the parking & refuse area only. This matches the parking and landscape setback next door. The setback along Guadalupe Road is reduced near the parking area which is very similar to the street-facing parking of the project next door. The setback along the west edge is reduced only because it should be viewed on whole with the abutting landscape area directly west which has a cumulative depth much greater than the technical setback.

G. General Plan Applicability and Criteria

This project is supported by the goals, policies, and objectives of the General Plan. Updating the General Plan will expand the available opportunities on this site to support the adjacent residential and employment in the area. This will be a win-win for all.

1. Why is the current classification not suitable?

The site is too small (only .9 acres) to make any meaningful use for an industrial development. Today's industrial buildings need more area for access, truck delivery, parking and more.

2. How the proposed change is compatible with adjacent properties and other elements of the General Plan.

The commercial development proposed on this Property is consistent with the commercial zoning and uses already existing at this intersection. A retail use at this location is appropriate along an arterial street intersection and nearby other residential and employment areas. It is a natural pattern to have these commercial uses at this location.

Further, there are many goals, policies, and objectives of the General Plan that support the commercial use at this location. The following are some excerpted provisions from the General Plan:

Land Use Policy 3.1 Promote development within Growth Areas where resources and infrastructure are in place or can reasonably be made available.

The project is located along a major arterial street where resources and infrastructure are already in place.

Land Use Goal 5.0: Promote commercial, retail, and employment land uses that are compatible with adjacent land uses and meet economic goals.

The site fronts a major arterial street where commercial uses are appropriate and expected. Its proximity next to an arterial intersection makes this an ideal location for commercial uses.

Economic Development Policy 4.6: Attract, retain, and grow unique retail businesses that serve a regional customer base as a means to increase Gilbert's sales tax revenue.

The project will provide a unique business opportunity that will drive customers who want an experiential retail opportunity. Just as the Heritage District and Agritopia are destination places, the Murphy on the Tracks is designed with the same experience in mind. This also occurs within

the northwest quadrant of the Town which encourages redevelopment opportunities like this. This will increase Gilbert's sales tax revenues compared to the vacant industrial zoned land that has no sale tax benefit.

Community Design Goal 1.0: Promote quality design for new development.

This new development will provide highly articulated, efficient site design, sustainable landscaping, creative signage and energy efficient lighting.

Community Design Goal 6.0: Encourage developers to design attractive and functional retail and service facilities that serve the needs of residents, visitors and businesses.

The developer will use integrated architectural and landscape design themes for the commercial building. They will provide safe and efficient access to commercial uses by pedestrians, bicyclists and vehicles and will design access for disabled persons to minimize crossing of vehicular drives. The site is designed so service facilities are screened from view in a well-integrated manner including a combination of architectural walls softened with vegetation that result in a visually pleasing design. Building design will encourage enhancement of building mass by balancing height, roof lines, facades and rhythm of design elements.

3. What unique physical characteristics of the site present opportunities or constraints for the development under the existing classification?

The parcel is small and oddly shaped which presents significant development hurdles. The parcel also has a no vehicular access easement (VNAE) along its frontage which further impacts the site. Fortunately, this commercial plan designs around those challenges and proposes a plan that solves the site constraints.

4. Explanation on the availability of public utilities and services.

The subject property already has adequate infrastructure in place to support this commercial development. There is a 8-inch water line in the existing driveway to the site and a fire hydrant on site already. There is a 10-inch sewer lateral line and a 12-inch water lateral line in Guadalupe Road in front of the site. Accordingly, there are adequate utilities in place to serve this proposed community.

5. What is the proposed fiscal impact of future development based on evaluation of projected revenues and the additional cost of providing public facilities and services to accommodate projected increases or decreases in population?

This project will create a net fiscal benefit. The commercial development will create substantially more retail sales tax revenues than the empty industrial zoning. This location is next to employment and residential uses that need a service amenity nearby. We expect it will have tremendous customer support from the residents living in the area. The proposed development should have no negative impact on existing public facilities and services.

6. How will the proposed amendment affect the ability of the community to sustain the physical and cultural resources, including air quality, water quality, energy, natural and human-made resources necessary to meet the demands of present and future residents?

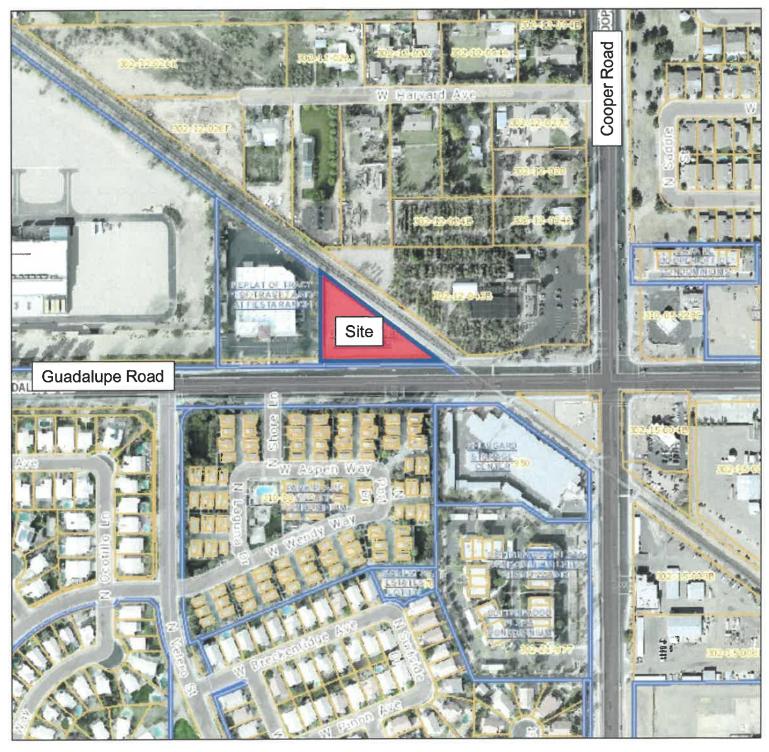
The proposed amendment does not diminish the ability of the Town to sustain its physical and cultural resources. This commercial development is appropriately located in an existing commercial area and at a major arterial intersection.

G. Conclusion

Commercial development at this location simply makes sense. After more than 13 years being zoned, entitled, and DR approved for a single-story office, the continued lack of interest in this site indicates a different proposal is needed. Commercial uses along Guadalupe Road are perfect for this transportation corridor and surrounding area. The proposed plan complements the area and will be a benefit to the Town of Gilbert.

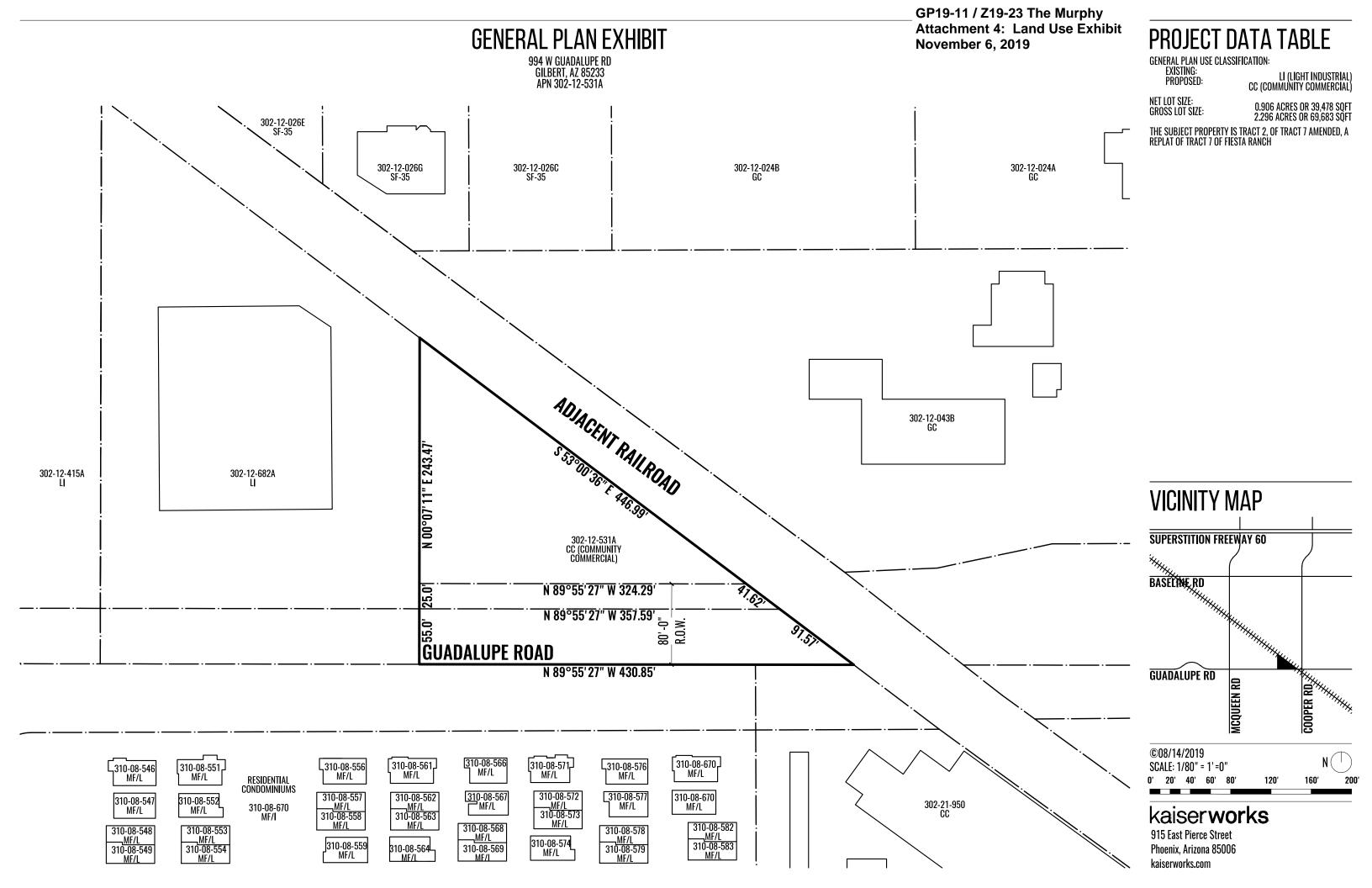
Tab 1

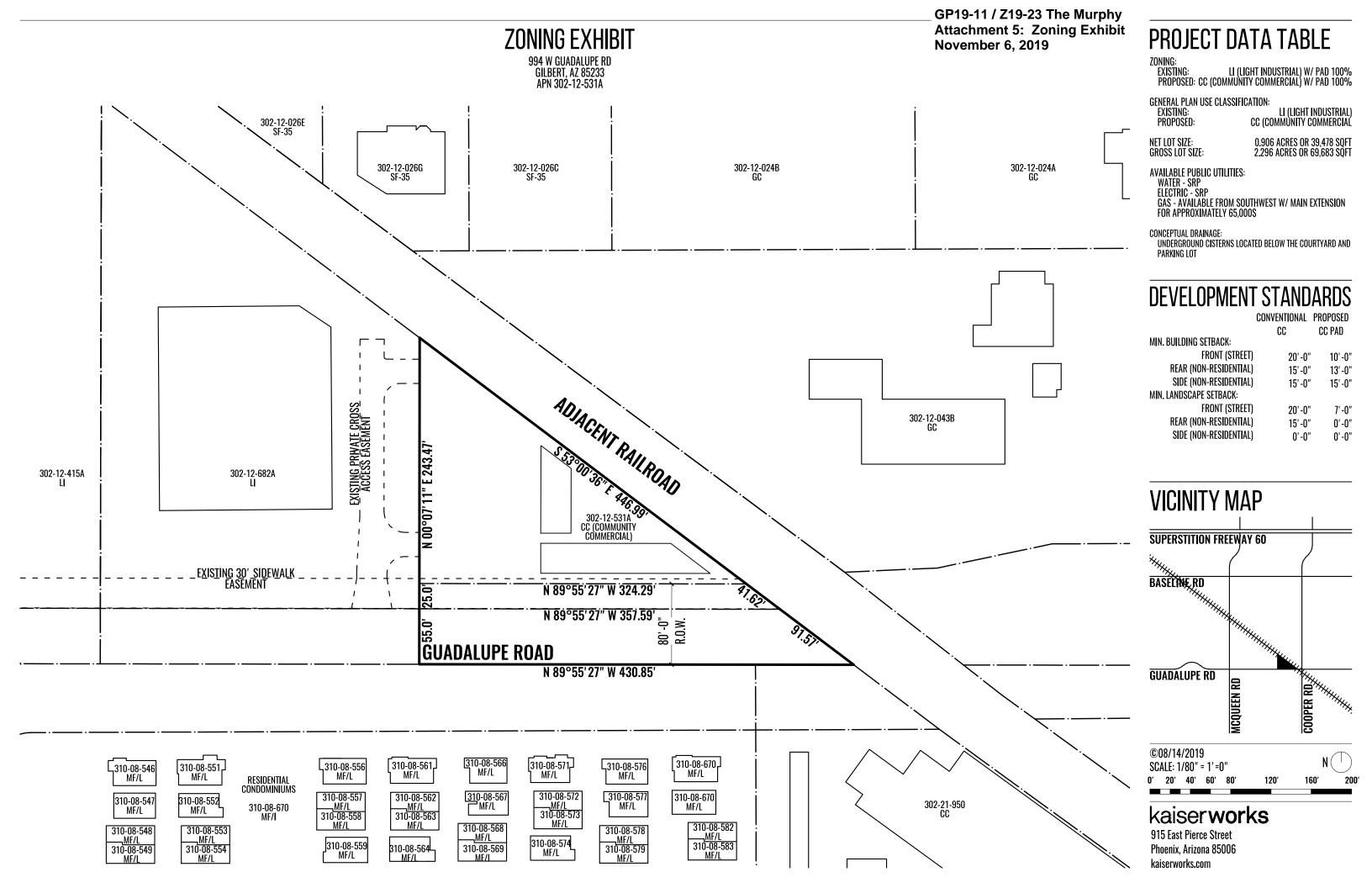
Aerial Map

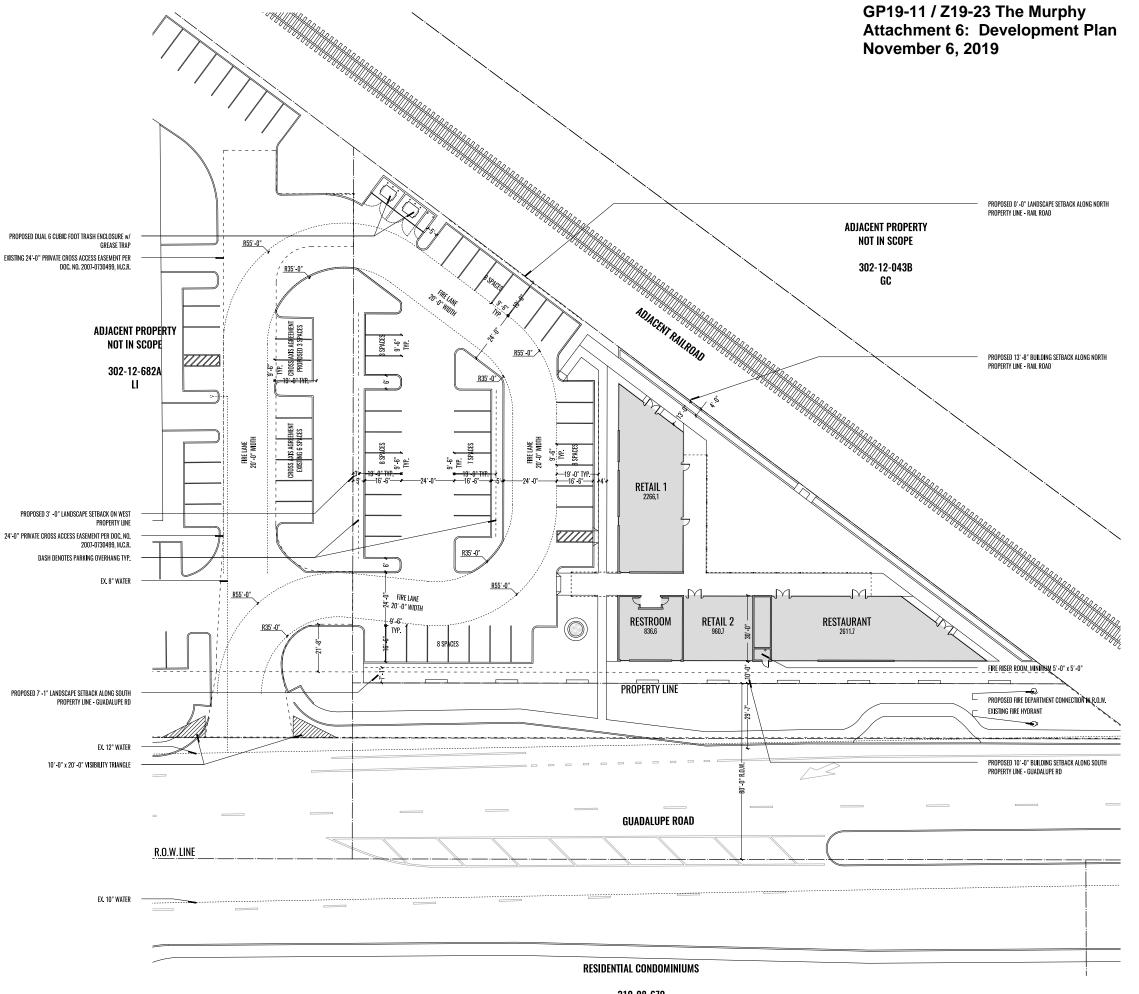


Tab 2









PROJECT DATA TABLE

PROJECT DESCRIPTION:
"THE MURPHY" IS A PROPOSED COMMERCIAL MIXED USE

ZONING: Existing: Proposed:

LI (LIGHT INDUSTRIAL) CC (COMMUNITY COMMERCIAL

BUILDING HEIGHT: Maximum allowable: PROPOSED:

2 STORY, 35'-0" 1 STORY, 24'-0"

NET LOT SIZE: Gross Lot size: 0.906 ACRES OR 39,478 SQFT 2.296 ACRES OR 69,683 SQFT

GROSS BUILDING AREA:

RESTAURANT RETAIL 1 RETAIL 2 2,611.7 SQFT 2,266.1 SQFT 960.7 SQFT

PARKING REQUIRED:

PARKING REQUIRED:
2,51.17 SQFT RESTAURANT /100 PARKING FACTOR
2,266.1 SQFT RETAIL 1 /250 PARKING FACTOR
49.06
960.7 SQFT RETAIL 2 / 250 PARKING FACTOR
3,84
836.6 SQFT RESTROOM / 250 PARKING FACTOR
3,35
2416.7 SQFT 0/UTDOOR 0/NING /400 PARKING FACTOR
48 SPACES
10TAL:
48 SPACES

PARKING PROVIDED: REGULAR SPACES ACCESSIBLE SPACES AUP FOR OFFSITE PARKIN

DEVELOPMENT STANDARDS

CONVENTIONAL PROPOSED CC CC PAD MIN. BUILDING SETBACK: MIN. BUILDING SEIBACK:
FRONT (STREET)
REAR (NON-RESIDENTIAL)
SIDE (NON-RESIDENTIAL)
MIN. LANDSCAPE SETBACK:
FRONT (STREET) 20' -0" 15' -0" 15' -0" 20' - 0" 15' - 0" 0' - 0" 15' - 0" 15% 7' -0" 0' -0" 0' -0" 15' -0" 15% REAR (NON-RESIDENTIAL)
SIDE (NON-RESIDENTIAL)
SEPARATION BETWEEN BUILDINGS:

SUPERSTITION FREEWAY 60 BASELINE RD GUADALUPE RD WCOCIEEN RD WCOCIEEN

VICINITY MAP

GENERAL NOTES

994 W GUADALUPE RD GILBERT, AZ 85233 302-12-531A

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CONCEPTUAL SITE PLAN SCALE: 1/10" = 1'=0"



kaiserworks

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